IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA Charlottesville Division

GREENBERRY'S FRANCHISING)	
CORPORATION)	
)	
)	
Plaintiff)	
)	
V.)	
) Civil Action No. 3:10cv-00045-NK	7 N /I
ALICE Y. PARK et al.,) Civil Action No. 5:10cv-00045-NF	NVI
ALICE I. FARK et al.,)	
Defendants.)	

MOTION OF DEFENDANT HAN HOLDING, INC. TO DISMISS ALL CLAIMS AGAINST HAN HOLDING, INC. FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED

Defendant Han Holding, Inc., by counsel, respectfully moves for this Court to Dismiss all counts against Han Holding, Inc. in the above-styled litigation pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief may be granted.

All counts against Han Holding, Inc. should be dismissed because Han Holding, Inc. is not alleged to be a participant in the allegations related to any of the ten (10) counts alleged in Plaintiff's Complaint. Since Han Holding, Inc. is not alleged of wrongdoing, the relief requested by Plaintiff may not be granted and therefore Han Holding, Inc. should be dismissed as a Defendant for all counts.

HAN HOLDING, INC. By Counsel

s/ Andrew E. Macfarlane
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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2010 I electronically filed the foregoing with the clerk of the court using the CM/EFC system, which will send electronic notification of such filing to all counsel of record.

s/ Andrew E. Macfarlane
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